

## **EXHIBIT A**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OCEAN RIDGE CAPITAL ADVISORS,  
LLC, as Litigation Trustee of THE  
MAS LITIGATION TRUST,

Plaintiff,

v.

METROPOLITAN LIFE INSURANCE COMPANY, THE  
NORTHWESTERN MUTUAL LIFE INSURANCE  
COMPANY, CAPITAL D'AMERIQUE CDPQ INC.,  
CAISSE DE DEPOT ET PLACEMENT DU QUEBEC,  
CSFB LP HOLDING, SKOOG FAMILY INVESTMENTS,  
LLC, BANCAMERICA CAPITAL INVESTORS II, L.P.,  
WINDWARD/PARK AB III, L.L.C., WINDWARD  
CAPITAL PARTNERS L.P., WINDWARD CAPITAL,  
ASSOCIATES, L.P., SUEZ CAPITAL PARTNERS II, L.P.,  
INDOSUEZ CAPITAL CO-INVEST PARTNERS, L.P.,  
SCP II ASSOCIATES, CREDIT SUISSE FIRST BOSTON  
(USA), INC., CREDIT SUISSE FIRST BOSTON,  
GOLDMAN SACHS CREDIT PARTNERS L.P., JEFFREY  
A. ANDERSON, JON F. BAKER, JOSE R. GARCIA,  
ROBERT H. BARTON III, H.H. WACASER, PETER S.  
MACDONALD, GARY SWENSON, JOHN F. MAYPOLE,  
THOMAS GRAHAM, DONALD A. MCKAY, HENRY A.  
NICKOL, JEFFREY HODGMAN, A. KIPP KOESTER,  
CRAIG VAN ESS, GURMINDER S. BEDI, THOMAS  
WALKER, JACK SKOOG AND DEAN VANEK,

Defendants.

Case No. 07-CV-3213 (SAS)

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**ORDER**

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**IT IS HEREBY ORDERED**, upon consideration of the papers submitted by the parties,  
that Plaintiff's Motion to Dismiss Counterclaim of Defendants Jack Skoog and Skoog Family  
Investments, LLC is **GRANTED** pursuant to Federal Rule of Civil Procedure 12(b)(6).

**IT IS FURTHER ORDERED** that the Counterclaim of Defendants Jack Skoog and Skoog Family Investments, LLC is **DISMISSED** with prejudice.

**SO ORDERED.**

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Shira A. Scheindlin  
United States District Court Judge